

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hale, et al.)	Examiner: M. Haghighatian
)	
Serial No.: 10/718,982	)	Group Art Unit: 1616
)	
Patent No.: 7,090,830	)	Confirmation No.: 2735
)	
Filing Date: November 20, 2003)	
)	
For: DRUG CONDENSATION AEROSOLS)	
AND KITS)	

PETITION TO CORRECT INVENTORSHIP UNDER 37 CFR 1.324

Sir:

Applicant hereby requests a correction of inventorship for the referenced nonprovisional patent. The inventor Alejandro C. Zaffaroni was omitted in error upon the filing of this application with no deceptive intention on the part of the omitted inventor.

A Statement from the omitted inventor is enclosed (37 C.F.R. § 1.324(b)(1)).

Statements signed by the current named inventors stating that the inventors have no disagreement in regard to the requested inventorship change is also enclosed (37 C.F.R. § 1.324(b)(2)).

An assignment was executed by the original inventors. Written consent of the assignee is enclosed. (37 C.F.R. § 1.324(b)(3)), along with a copy of a Statement Under 37 C.F.R. § 3.73(b).

The undersigned hereby authorizes the amount of \$ 130.00 in the fees to be charged to deposit account No. 19-5117 (37 C.F.R. § 1.324(b)(4)). The undersigned hereby authorizes any deficiency in the fees to be charged to deposit account No. 19-5117.

Respectfully submitted,

Date: May 24, 2010

/Katherine Lobel-Rice/
Katherine Lobel-Rice, #58,079
Swanson & Bratschun, L.L.C.
8210 SouthPark Terrace
Littleton, Colorado 80120
Telephone: (303) 268-0066
Facsimile: (303) 268-0065

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hale, et al.	)	EXAMINER: Haghighatian, Mina
)	
SERIAL NUMBER: 10/718,982	)	ART UNIT: 3761
)	
FILED: August 15, 2006	)	CONF. NO.: 2735
)	
TITLE: DRUG CONDENSATION)	
AEROSOLS AND KITS)	

Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR
AMENDMENT OF INVENTORSHIP UNDER 37 CFR § 1.324(b)(1)

Dear Sir:

I, Alejandro C. Zaffaroni, am an inventor of the above-captioned patent application. I was omitted as an inventor in the above-captioned patent application. The error in inventorship occurred without deceptive invention on my part.

Date: AUG 18 2006

A. Zaffaroni
Alejandro C. Zaffaroni

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hale, et al.	)	EXAMINER: Haghighatian, Mina
)	
SERIAL NUMBER: 10/718,982	)	ART UNIT: 3761
)	
FILED: August 15, 2006	)	CONF. NO.: 2735
)	
TITLE: DRUG CONDENSATION)	
AEROSOLS AND KITS)	

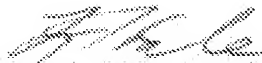
Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR
AMENDMENT OF INVENTORSHIP UNDER 37 CFR § 1.324(b)1

Dear Sir:

I, Ron L. Hale, am a named inventor of the above-captioned patent application. I have no disagreement with regard to adding Alejandro C. Zaffaroni as a named inventor on the above-captioned patent application.

Date: 10-3-06


Ron L. Hale

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hale, et al.	)	EXAMINER: Haghighatian, Mina
)	
SERIAL NUMBER: 10/718,982	)	ART UNIT: 3761
)	
FILED: August 15, 2006	)	CONF. NO.: 2735
)	
TITLE: DRUG CONDENSATION)	
AEROSOLS AND KITS)	

Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR
AMENDMENT OF INVENTORSHIP UNDER 37 CFR § 1.324(b)1

Dear Sir:

I, Craig C. Hodges, am a named inventor of the above-captioned patent application. I have no disagreement with regard to adding Alejandro C. Zaffaroni as a named inventor on the above-captioned patent application.

Date: 11/21/2006

Craig C. Hodges
Craig C. Hodges

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hale, et al.	)	EXAMINER: Haghighatian, Mina
)	
SERIAL NUMBER: 10/718,982	)	ART UNIT: 3761
)	
FILED: August 15, 2006	)	CONF. NO.: 2735
)	
TITLE: DRUG CONDENSATION)	
AEROSOLS AND KITS)	

Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


REQUEST FOR
AMENDMENT OF INVENTORSHIP UNDER 37 CFR § 1.324(b)1

Dear Sir:

I, Peter M. Lloyd, am a named inventor of the above-captioned patent application. I have no disagreement with regard to adding Alejandro C. Zaffaroni as a named inventor on the above-captioned patent application.

Date:

10/2/06


Peter M. Lloyd

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hale, et al.	)	EXAMINER: Haghighatian, Mina
)	
SERIAL NUMBER: 10/718,982	)	ART UNIT: 3761
)	
FILED: August 15, 2006	)	CONF. NO.: 2735
)	
TITLE: DRUG CONDENSATION)	
AEROSOLS AND KITS)	

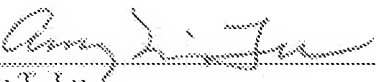
Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR
AMENDMENT OF INVENTORSHIP UNDER 37 CFR § 1.324(b)1

Dear Sir:

I, Amy T. Lu, am a named inventor of the above-captioned patent application. I have no disagreement with regard to adding Alejandro C. Zaffaroni as a named inventor on the above-captioned patent application.

Date: Sept. 28, 2006



Amy T. Lu

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hale, et al.	)	EXAMINER: Haghighatian, Mina
)	
SERIAL NUMBER: 10/718,982	)	ART UNIT: 3761
)	
FILED: August 15, 2006	)	CONF. NO.: 2735
)	
TITLE: DRUG CONDENSATION)	
AEROSOLS AND KITS)	

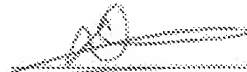
Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR
AMENDMENT OF INVENTORSHIP UNDER 37 CFR § 1.324(b)1**

Dear Sir:

I, Daniel J. Myers, am a named inventor of the above-captioned patent application. I have no disagreement with regard to adding Alejandro C. Zaffaroni as a named inventor on the above-captioned patent application.

Date: 10/2/06


Daniel J. Myers

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hale, et al.	)	EXAMINER: Haghighatian, Mina
)	
SERIAL NUMBER: 10/718,982	)	ART UNIT: 3761
)	
FILED: August 15, 2006	)	CONF. NO.: 2735
)	
TITLE: DRUG CONDENSATION)	
AEROSOLS AND KITS)	

Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR
AMENDMENT OF INVENTORSHIP UNDER 37 CFR § 1.324(b)1

Dear Sir:

I, Joshua D. Rabinowitz, am a named inventor of the above-captioned patent application. I have no disagreement with regard to adding Alejandro C. Zaffaroni as a named inventor on the above-captioned patent application.

Date: 9/20/06


Joshua D. Rabinowitz

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hale, et al.	)	EXAMINER: Haghighatian, Mina
)	
SERIAL NUMBER: 10/718,982	)	ART UNIT: 3761
)	
FILED: August 15, 2006	)	CONF. NO.: 2735
)	
TITLE: DRUG CONDENSATION)	
AEROSOLS AND KITS)	

Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR
AMENDMENT OF INVENTORSHIP UNDER 37 CFR § 1.324(b)1

Dear Sir:

I, Martin J. Wensley, am a named inventor of the above-captioned patent application. I have no disagreement with regard to adding Alejandro C. Zaffaroni as a named inventor on the above-captioned patent application.

Date: 9/24/06

Martin J. Wensley
Martin J. Wensley

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hale, et al.	)	EXAMINER: Haghighatian, Mina
)	
SERIAL NUMBER: 10/718,982	)	ART UNIT: 3761
)	
FILED: August 15, 2006	)	CONF. NO.: 2735
)	
TITLE: DRUG CONDENSATION)	
AEROSOLS AND KITS)	


Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR
AMENDMENT OF INVENTORSHIP UNDER 37 CFR § 1.324(b)1

Dear Sir:

I, Jeffrey A. McKinney, am a named inventor of the above-captioned patent application. I have no disagreement with regard to adding Alejandro C. Zaffaroni as a named inventor on the above-captioned patent application.

Date: 1/1/2007


Jeffrey A. McKinney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: HALE, Ron, et al.	)	EXAMINER: HAGHIGHATIAN, Mina
SERIAL NO.: 10/718,982	)	ART UNIT: 1616
FILED: June 19, 2003	)	CONF. NO.: 2375
TITLE: DRUG CONDENSATION)	
AEROSOLS AND KITS)	

Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**CONSENT OF ASSIGNEE TO
AMENDMENT OF INVENTORSHIP UNDER 37 CFR § 1.324(b)**

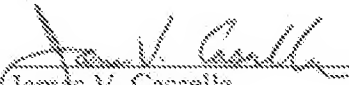
Sir:

The assignee of the above-captioned application, hereby consents to the amendment of inventorship of the application. I have authority to act on behalf of the assignee.

ALEXZA Molecular Delivery Corporation

Date: 9/28/06

By:


James V. Cassella

Sr. Vice President, Research & Development



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: ALEXZA Molecular Delivery CorporationApplication No./Patent No.: 10/718,982 Filed/Issue Date: 11/20/2003Entitled: DRUG CONDENSATION AEROSOLS AND KITSALEXZA Molecular Delivery Corporation, a corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 014737, Frame 0145, or for which a copy thereof is attached.

OR

- B ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



SignatureJames V. CASSELLA

Printed or Typed Name

FEB 01 2005

Date

650-687-3900

Telephone Number

Sr. VP, Research & Development; ALEXZA Molecular Delivery Corporation

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ASSIGNMENT

WHEREAS, the undersigned inventor(s) (referred to, collectively, if more than one, as "Assignor") have made an invention entitled "Drug Condensation Aerosols and Kits" for which an application for United States Letters Patent was filed on November 11, 2003, as Application Serial No.10/718,982, and

WHEREAS, Alexza Pharmaceuticals, Inc., a Delaware Corporation ("Assignee") having a place of business at 1020 East Meadow Circle, Palo Alto, California 94303, desires to acquire all right, title and interest in and to the above identified invention and application;

NOW, THEREFORE, Assignor, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby sell, assign, convey and transfer unto Assignee all right, title and interest in and to the above identified invention and application, together with all corresponding foreign applications and patents which may be filed thereon, including the right to claim priority from the above identified United States application; and Assignor hereby agrees that Assignor will sign all lawful papers, including, without limitation, all divisional, continuation, renewal, extension and reissue applications, and make all rightful oaths in execution thereof, and will generally do everything possible to aid Assignee, its successors, assigns and nominees to obtain and enforce proper protection for the invention in all countries, this obligation to be binding upon Assignor (each and severally, if more than one) and upon Assignor's personal representative or other legal successor.

IN TESTIMONY WHEREOF, the undersigned Assignor (and each of them, if more than one) has signed below.

Date: 10-2-06

Address:

Ron L. Hale
Ron L. Hale
17085 Skyline Boulevard
Woodside, California 94062

STATE OF California)
COUNTY OF Santa Clara) ss.



The foregoing instrument was acknowledged before me this 3rd day of October, 2006, by

Witness my hand and official seal.

My commission expires: 04-28-2010

Ellen A. Chiantelli
Notary Public

Date: _____

Address: _____

Craig C. Hodges
80 Terrace Road
Walnut Creek, California 94596

STATE OF _____)
COUNTY OF _____) ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 2006,
by _____

Witness my hand and official seal.

My commission expires: _____

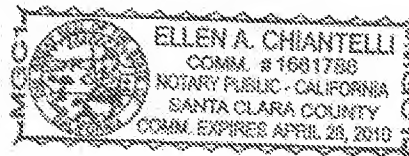
Notary Public

Date: 10/2/06

Address: _____

Peter M. Lloyd
Peter M. Lloyd
30 Carisa Court
Walnut Creek, California 94597

STATE OF California)
COUNTY OF Santa Clara) ss.



The foregoing instrument was acknowledged before me this 2nd day of October, 2006,
by _____

Witness my hand and official seal.

My commission expires: 04/28/2010

Ellen A. Chiantelli
Notary Public

Date: 11/21/2006

Address:

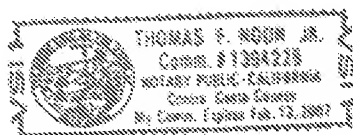
Craig C. Hodges
Craig C. Hodges
80 Terrace Road
Walnut Creek, California 94596

STATE OF CALIFORNIA)
) ss.
COUNTY OF CONTRA COSTA)

The foregoing instrument was acknowledged before me this 21st day of NOVEMBER, 2006,
by

Witness my hand and official seal.
My commission expires: FEB. 13, 2007

Thomas F. Ngou
Notary Public



Date: _____

Address:

Peter M. Lloyd
30 Carisa Court
Walnut Creek, California 94597

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2006,
by

Witness my hand and official seal.
My commission expires: _____

Notary Public

Date: Sept. 28, 2006

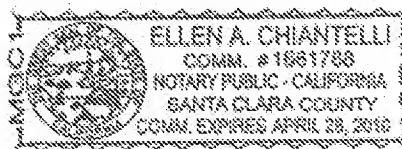
Address:

Amy T. Lu
Amy T. Lu
1090 Valley View Court
Los Altos, California 94024

STATE OF California

COUNTY OF Santa Clara

ss.



The foregoing instrument was acknowledged before me this 28th day of Sept., 2006,
by

Witness my hand and official seal.

My commission expires: 04-28-2010

Ellen A. Chiantelli
Notary Public

Date: October 2, 2006

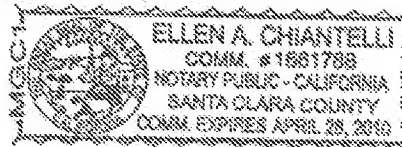
Address:

Daniel J. Myers
Daniel J. Myers
75 Eldora Drive
Mountain View, California 94041

STATE OF California

COUNTY OF Santa Clara

ss.



The foregoing instrument was acknowledged before me this 2nd day of October, 2006,
by

Witness my hand and official seal.

My commission expires: 04-28-2010

Ellen A. Chiantelli
Notary Public

Date: _____

Address: _____

Joshua D. Rabinowitz
17A Hulfish Street
Princeton, New Jersey 08542

STATE OF _____)

COUNTY OF _____)

ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 2006,
by

Witness my hand and official seal.

My commission expires: _____

Notary Public

Date: 9/28/06

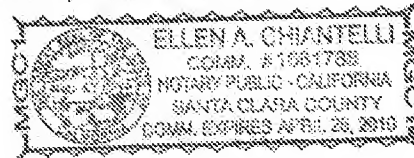
Address: _____

Martin J. Wensley
Martin J. Wensley
205 Caldwell Avenue
Los Gatos, California 95032

STATE OF California)

COUNTY OF Santa Clara)

ss.



The foregoing instrument was acknowledged before me this 28th day of Sept., 2006,
by

Witness my hand and official seal.

My commission expires: 04-28-2010

Ellen A. Chiantelli
Notary Public

Date: 9/20/06

Address:

Joshua D. Rabinowitz

Joshua D. Rabinowitz
17A Hullish Street
Princeton, New Jersey 08542

STATE OF New Jersey)
COUNTY OF Somerset) ss.

The foregoing instrument was acknowledged before me this 20th day of September, 2006,
by

Witness my hand and official seal.

My commission expires: _____

Kannal Patel

Notary Public

KANNAL PATEL
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES JUNE 26, 2008

Date: _____

Address:

Martin J. Wensley
88 King Street #618
San Francisco, California 94107

STATE OF _____)
COUNTY OF _____) ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 2006,
by

Witness my hand and official seal.

My commission expires: _____

Notary Public

Date: _____

Address: _____

Jeffrey A. McKinney
809 Juno Lane
Foster City, California 94404

STATE OF _____)

ss.

COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2006,
by

Witness my hand and official seal.

My commission expires: _____

Notary Public

Date: August 18, 2006

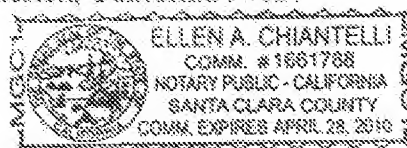
Address: _____

A. Zaffaroni
Alejandro C. Zaffaroni
1 Faxon Forest
Atherton, California 94027

STATE OF California)

ss.

COUNTY OF Santa Clara)



The foregoing instrument was acknowledged before me this 18th day of August, 2006,
by

Witness my hand and official seal.

My commission expires: 04-28-2010

Ellen A. Chiantelli
Notary Public

S:\Client\Folders\Alexza\67.91R\Assignment.doc

Date: 1/1/2007

Address:

Jeffrey A. McKinney
Jeffrey A. McKinney
869 Juniper Lane 851 Moraga Rd
Foster City, California 94404
Lafayette, CA 94549

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2006,
by

Witness my hand and official seal.

My commission expires: _____

Notary Public

Date: _____

Address:

Alejandro C. Zaffaroni
1 Faxon Forest
Atherton, California 94027

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2006,
by

Witness my hand and official seal.

My commission expires: _____

Notary Public